



Atty. Dkt. No. 056859-0201

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Vijay Kumar KAUL et al.
Title: ESSENTIAL OIL WITH CITRONELLOL AND ROSE OXIDES FROM
DRACOCEPHALUM HETEROPHYLLUM BENTH AND A PROCESS
THEREOF
Appl. No.: 10/508,995
Filed: 9/27/2004
Examiner: Unassigned
Art Unit: 1751
Conf. No.: 1365

**PETITION TO WITHDRAW HOLDING OF
ABANDONMENT UNDER 37 C.F.R. § 1.181(a)**

Mail Stop OIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed on March 3, 2008, Applicants hereby petition to withdraw the holding of abandonment concerning the above-referenced patent application. This petition is made within two (2) months from the mailing of the Notice.

According to the PTO, the present application is abandoned for failure to timely reply to the Decision on Petition mailed on July 20, 2006. Applicants respectfully submit that a complete reply to the petition decision was previously filed on January 22, 2007 with petition for extension of time for four (4) months and payment of \$1,590.00. The filing was timely within the time period set forth in the petition decision because January 20, 2007 is a Saturday, therefore the due date with four-extension is effectively January 22, 2007.

This petition is accompanied by a true copy of the originally filed reply and a properly itemized date-stamped postcard receipt as required by MPEP §503. The originally filed reply contains the following items:

1. Request for Reconsideration (2 pages);
2. Declaration executed by Devi Naritan (5 pages); and
3. Petition for Extension of Time (2 pages).

A charge of \$1,590.00 was made to our credit card on January 26, 2008, committed on January 30, 2008, and reconciled on March 7, 2008.

This petition is made timely and in compliance with 37 C.F.R. § 1.181(a). Accordingly, Applicants respectfully request the reconsideration and withdrawal of the holding of abandonment of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

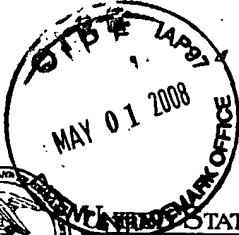
Respectfully submitted,

Date March 21, 2008

By Michael D. Kaminski

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5490
Facsimile: (202) 672-5399

Michael D. Kaminski
Attorney for Applicants
Registration No. 32,904



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/508,995		Vijay Kumar Kaul	056859-0201

22428
FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

CONFIRMATION NO. 1365
ABANDONMENT/TERMINATION
LETTER



Date Mailed: 03/03/2008

NOTICE OF ABANDONMENT

Decision on Petition

The above-identified application is **abandoned** for failure to timely reply to the Decision on Petition mailed on 07/20/2006.

If a complete reply to the petition decision was previously filed by applicant within the time period set forth in the petition decision, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via "Express Mail," a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the "Express Mail" mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the petition decision, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571)-272-3282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.

/dsgrune/

Office of Initial Patent Examination (571) 272-4000 or 1-800-PTO-9199

COPY



THE U.S. PATENT AND TRADEMARK OFFICE OFFICIAL MAILROOM STAMP
AFFIXED HERETO ACKNOWLEDGED RECEIPT OF THE ITEMS CHECKED
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Via Hand Delivery to MAIL STOP PCT

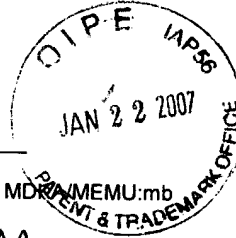
Title: ESSENTIAL OIL WITH CITRONELLOL AND ROSE OXIDES FROM
DRACOCEPHALUM HETEROPHYLLUM BENTH AND A PROCESS THEREOF

Inventor(s): Vijay Kumar KAUL et al.

Appl. No.: 10/508,995

Dkt. No. 056859-0201

- Request for Reconsideration (2 pgs.);
- Dec/POA executed by Devi Naritan (5 pgs.);
- Petition for Extension of Time (2 pgs.);
- Credit Card Payment Form for \$1,590.00 (1 pg.).



Due Date: January 20, 2007

Date Filed: 01/22/2007

Attorney Initials: MDRA/MEMU:mb

Insp. By: *dkm*

29288



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vijay Kumar KAUL et al.
Title: ESSENTIAL OIL WITH CITRONELLOL AND
ROSE OXIDES FROM DRACOCEPHALUM
HETEROPHYLLUM BENTH AND PROCESS
THEREOF
Appl. No.: 10/508,995
Filing Date: March 25, 2002
Examiner: Unassigned
Art Unit: Unassigned

REQUEST OF RECONSIDERATION

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Decision dated July 20, 2006, applicants attach hereto a declaration by Devi Naritan, legal representative of the deceased inventor Hans Raj Negi. Applicants are submitting a declaration in compliance with rule 37 CFR Rule 1.497(a) and (b) and therefore have complied with the Notice of Missing Requirements dated March 21, 2005. Applicants therefore request examination of the captioned application on the merits.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date January 22, 2007

By 

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Customer Number: 22428

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